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February 7, 2020

ECF

The Honorable George B. Daniels
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

RE: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)
Ashton et al. v. al Qaeda et al., 02-cv-6977 (GBD) (SN)
Bauer et al v. al Qaeda Islamic Army et al., 02-cv-7236 (GBD) (SN)
Burlingame. v. Islamic Republic of Iran, 02-cv-7230 (GBD) (SN)
Cheryl Rivelli, et al. v. Islamic Republic of Iran, 18-cv-11878

Dear Judge Daniels:

We represent certain plaintiffs in actions captioned above and write in connection with this Court's memo endorsement to ECF No. 5786. The letter-request submitted by *Ashton* counsel and filed at ECF No. 5786 requested an extension of time by which to file any objections to the Reports & Recommendations regarding non-immediate family members that denied some motions for damages judgments, while granting others. ECF Nos. 5387 and 5701. While other counsel represent plaintiffs who were part of those Reports & Recommendations, only *Ashton* Plaintiffs received any denial of damages that might warrant objections to this Court.

To clarify, the *Ashton* request for an extension of time pertained only to those plaintiffs whose claims had been denied in their entirety; to wit: Alexandria Catalano (ECF No. 5387 at 2 – 3), Mariano D'Alessandro (ECF No. 5387 at 3 – 4), Aaron Pagan (ECF No. 5387 at 5), Julian Perez (ECF No. 5387 at 5 – 7) and Maxwell Sivin (ECF No. 5701 at 8 – 9). As to the awards set forth at the tables at the end of each Report & Recommendation, counsel will not be filing any objection. ECF No. 5387 at 8; ECF No. 5701 at 10.

In order to allow those non-immediate family members who were found to be entitled to solatium damages in the Reports & Recommendations sufficient time to have a final judgment awarding damages translated and sent via diplomatic channels to the Islamic Republic of Iran, which must be done in connection with the applications with the United States Victims of State Sponsored Terrorism Fund (USVSST Fund), before the USVSST Fund's February 19, 2020 deadline, we respectfully ask that this Court so-order this request and grant a final order of damages for the plaintiffs listed below in the corresponding amounts, which mirrors what was recommended in the Report & Recommendations. ECF No. 5387 at 8; ECF No. 5701 at 10.

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ECF No. 5387

Number	Decedent	Plaintiff	Relationship	Solatium Damages
1	Andrea Della Bella	James Della Bella	Stepchild	\$8,500,000
2	Alexander Steinman	Jason Schoenholtz	Stepsibling	\$2,125,000
3	William W. Haynes	Terrence M. Smith, Jr.	Stepchild	\$8,500,000

ECF No. 5701

Number	Decedent	Plaintiff	Relationship	Solatium Damages
1	Brian Magee	Christopher Dowdell	Stepchild	\$4,250,000
2	Brian Magee	William Dowdell	Stepchild	\$4,250,000
3	Brian Magee	Matthew Dowdell	Stepchild	\$8,500,000
4	Milton Bustillo	Dayna Spordone	Stepchild	\$8,500,000
5	Joseph Rivelli, Jr.	Christopher Michael Ruggieri	Stepchild	\$8,500,000
6	Joseph Rivelli, Jr.	Phylicia Ruggieri	Stepchild	\$4,250,000
7	Joel Miller	Justin Sivin	Stepchild	\$4,250,000
9	Dennis Scauso	Donald Scauso	Stepchild	\$8,500,000

As for the plaintiffs that the Report & Recommendation found were not entitled to solatium damages (Alexandria Catalano, Mariano D'Alessandro, Aaron Pagan, Julian Perez and Maxwell Sivin), we ask to have until March 17, 2020 to file objections, if any, which should allow sufficient time to prepare objections after meeting all requirements relating to the February 19, 2020 USVSST Fund deadline.

We are available should the Court have any additional concerns or questions about this request.

Respectfully,

Kreindler & Kreindler LLP

By: /s/ Megan W. Benett